



**COMMITTEE OF ADJUSTMENT MEETING**  
**Minor Variance Application A5-25**  
**351093 17<sup>th</sup> Line, West Part Lot 2, Concession 18**

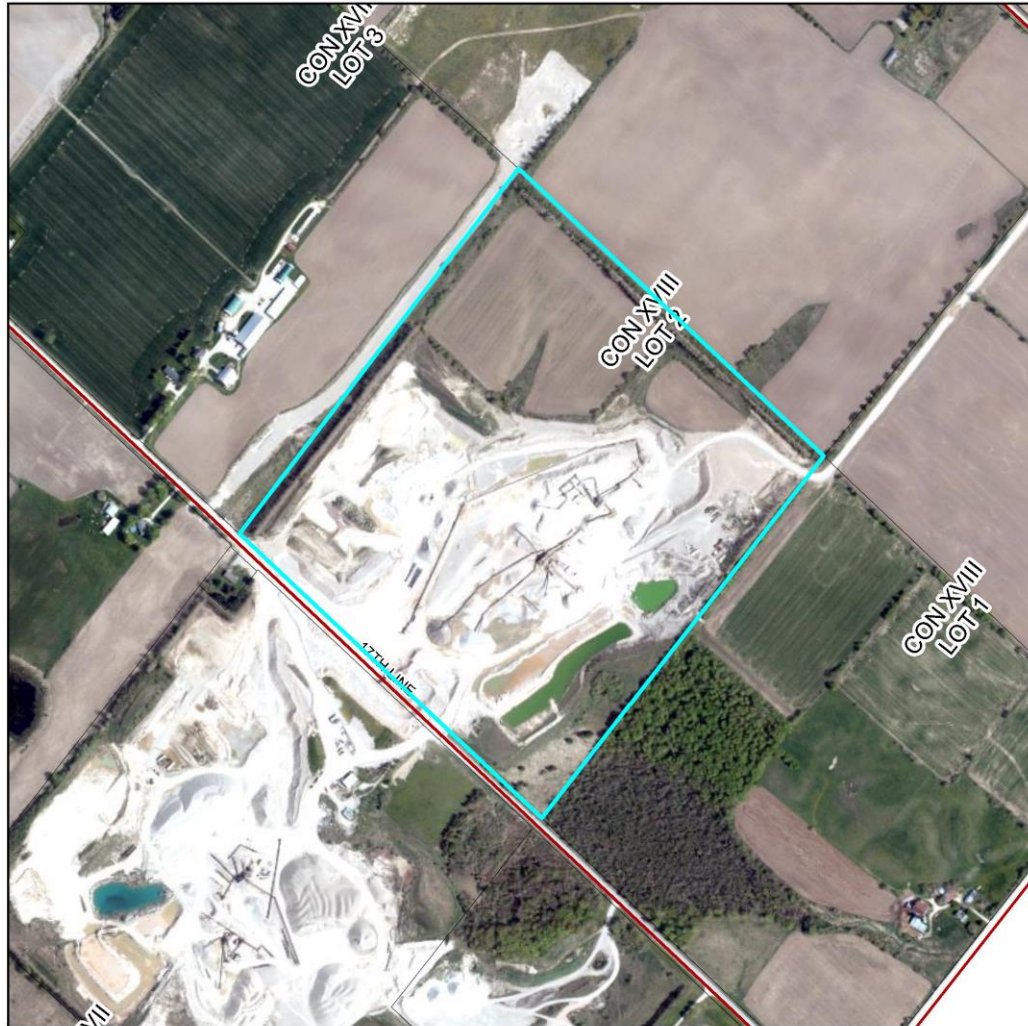
June 24, 2025  
4:00 pm

# Agenda

- Aerial Photo
- Official Plan Designation
- Zoning By-law
- Application Overview
- Submission Circulation
- Recommendations
- Next Steps

# Aerial Photo

## 351093 17<sup>th</sup> Line



Township of  
East Garafraxa



**AERIAL PHOTO  
(2023)**

### Legend

-  Parcels
-  Roads\_ORN
- Red: Band\_1
- Green: Band\_2
- Blue: Band\_3



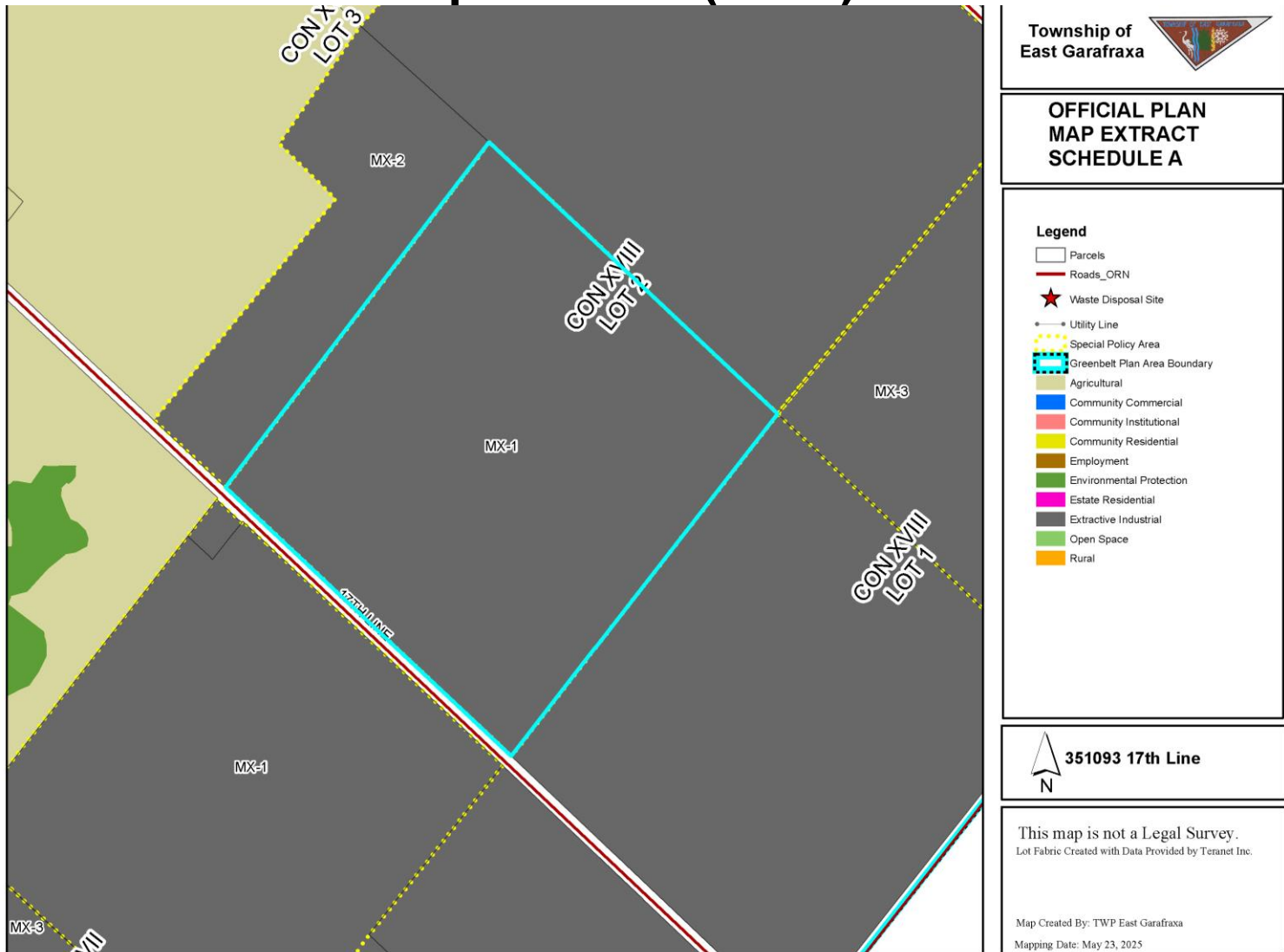
**351093 17th Line**

This map is not a Legal Survey.  
Lot Fabric Created with Data Provided by Teranet Inc.

Map Created By: TWP East Garafraxa  
Mapping Date: May 23, 2025

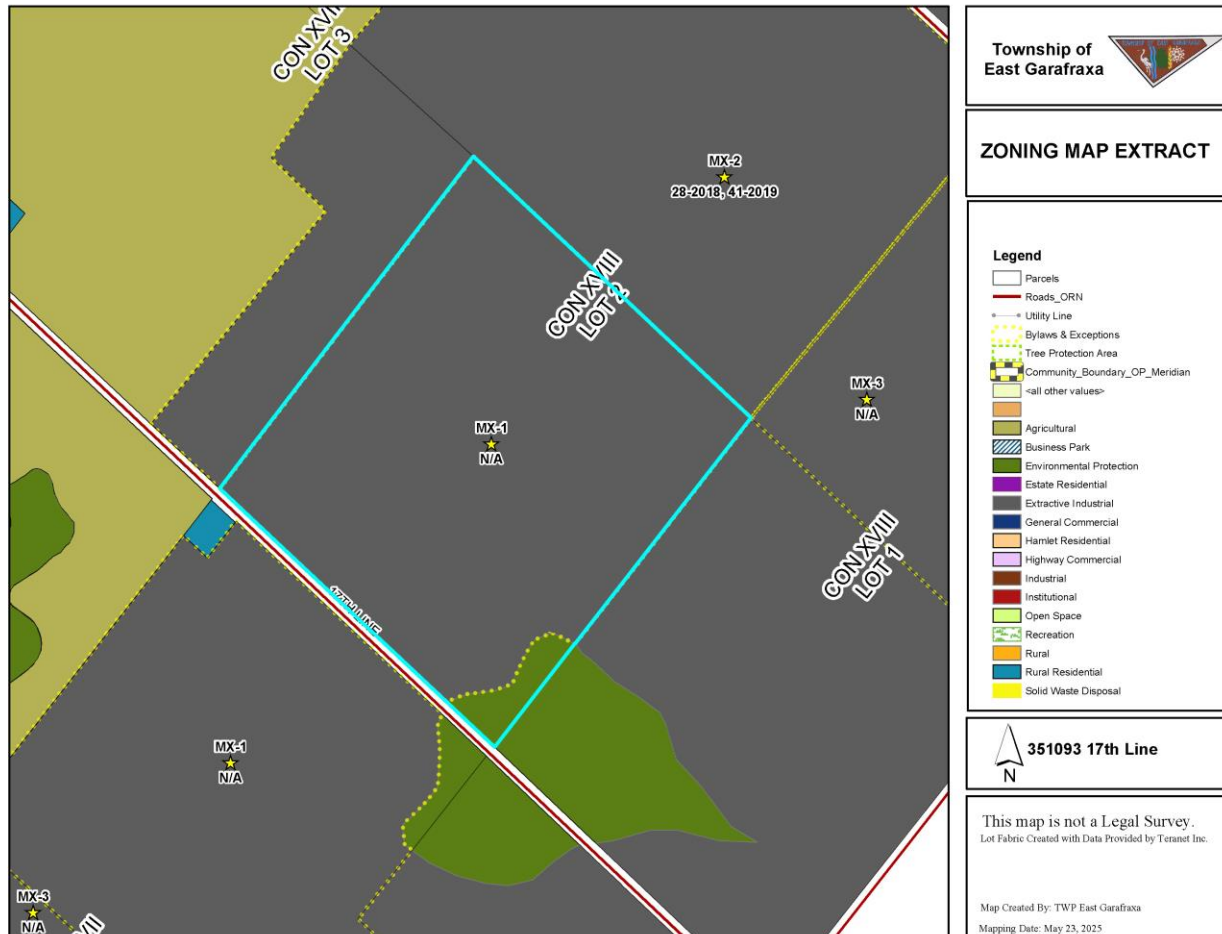
# Official Plan Designation

## Extractive Industrial Exception One (MX-1)



# Zoning By-law 60-2004

## Extractive Industrial Exception One (MX-1) and Environmental Protection (EP) Zone

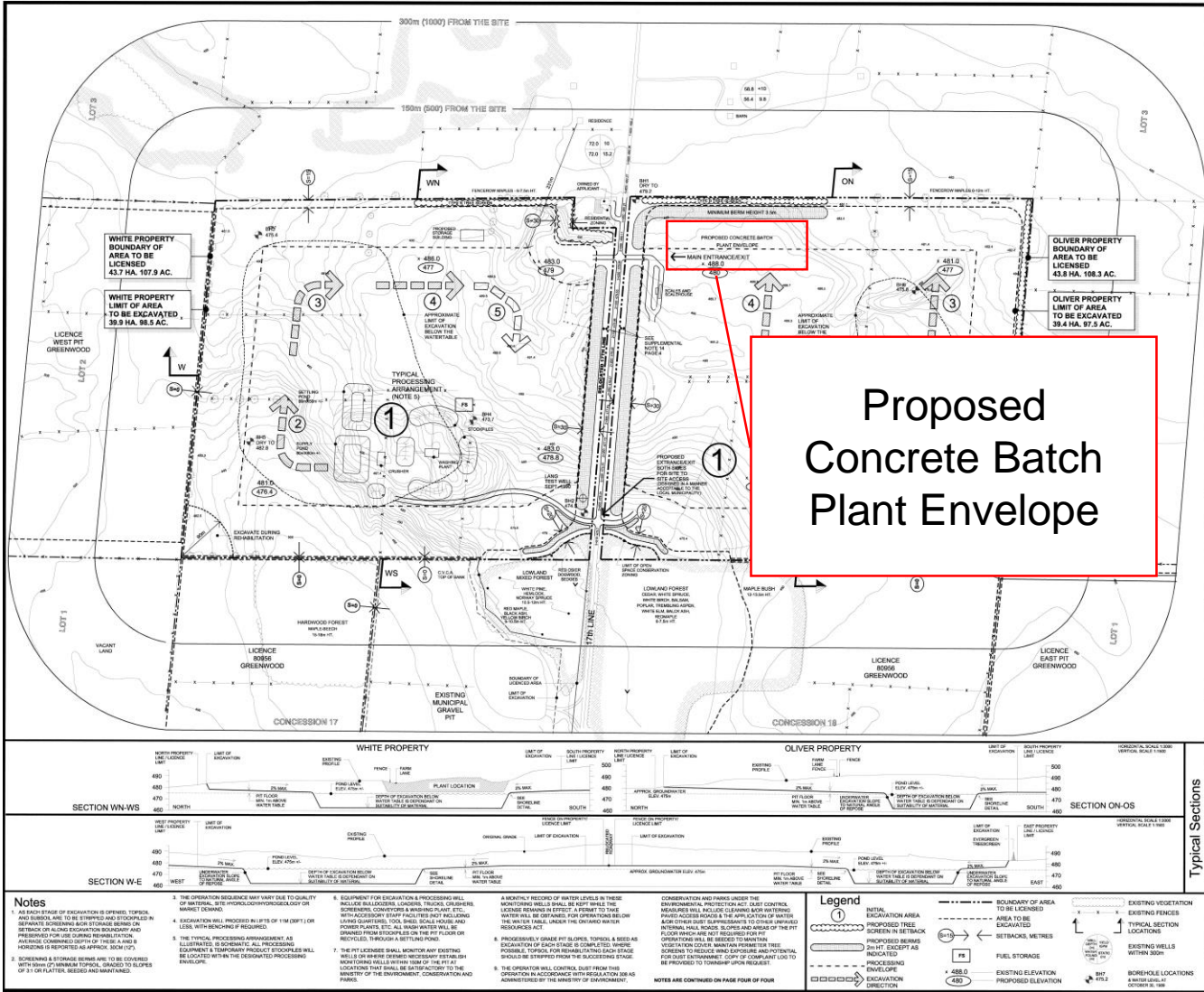


# Minor Variance Application A5-25

<b>Owner</b>	Greenwood Construction Company Ltd. c/o Sam Greenwood
<b>Applicant</b>	Ron Davidson Land Use Planning Consultant Inc.
<b>Location</b>	351093 17 <sup>th</sup> Line, West Part Lot 2, Concession 18
<b>Property Area</b>	40.7 ha/ 100.57 ac (as provided by applicant)
<b>Purpose of the Application</b>	Minor Variance application to permit a permanent permanent concrete batching plant within the Extractive Industrial One (MX-1) zone, in accordance with the Ministry of Natural Resources approved site plans pursuant to the <i>Aggregate Resources Act, R.S.O. 1990, c. A.8.</i>



# Site Plan



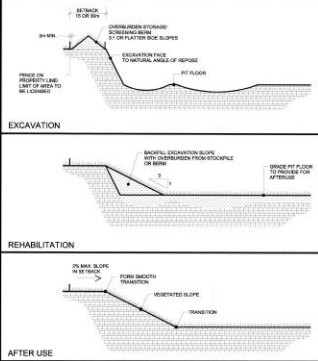
Proposed  
Concrete Batch  
Plant Envelope

Greenwood Construction Co. Ltd.  
205467 County Rd. 109, Amaranth ON L9W 0V1

Oliver / White Pit  
PT. E 1/2 LOT 2, CONCESSION 17  
& W 1/2 LOT 2 CONCESSION 18  
TOWNSHIP OF EAST GARAFRAXA  
DUFFERIN COUNTY  
Licence # 10606

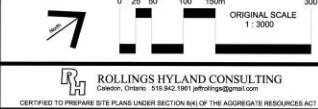
Ministry of Natural Resources  
and Forestry  
APPROVED  
Under the Aggregate Resources Act  
Date: May 9, 2024

## Page 2 of 4 OPERATIONAL PLAN



Edge Standards

DATE	2.4.1	APPROVED	DATE	17 Apr. 2024
AMENDMENT NO.	3	DATE	17 Apr. 2024	
DATE	17 Apr. 2024	DATE	17 Apr. 2024	
DATE	17 Apr. 2024	DATE	17 Apr. 2024	
DATE	17 Apr. 2024	DATE	17 Apr. 2024	
DATE	17 Apr. 2024	DATE	17 Apr. 2024	
DATE	17 Apr. 2024	DATE	17 Apr. 2024	
DATE	17 Apr. 2024	DATE	17 Apr. 2024	
DATE	17 Apr. 2024	DATE	17 Apr. 2024	
DATE	17 Apr. 2024	DATE	17 Apr. 2024	



# Submission Circulation

The application was circulated to prescribed agencies on June 13, 2025, and with property owners within 60 metres of the property in accordance with the *Planning Act*.

The following comments have been received:



# Submission Assessment

## / Fotenn Planning + Design:

- / The subject lands are zoned 'MX-1' (Extractive Industrial Exception One), which allows for resource management activities and a "portable asphalt or concrete batching plant." The term portable is open to interpretation, specifically, whether it applies solely to the asphalt plant or to both the asphalt and concrete batching plants. The Township's solicitor has advised that the term portable applies to both, and as such, a permanent (fixed) concrete batching plant is not permitted as-of-right under the current zoning framework.
- / The requested variance has been assessed against the four tests for a minor variance prescribed under Section 45(1) of the Planning Act.

Test 1: *Is the general intent and purpose of the Official Plan maintained?*

The subject property is designated 'Extractive Industrial Exception One (MX-1)' under the East Garafraxa Official Plan. The proposed Minor Variance to permit a permanent (fixed) concrete batching plant is consistent with the intent of this designation, as aggregate extraction and associated operations are permitted uses on lands designated for Extractive Industrial purposes. It is our opinion the intent and purpose of the Official Plan is maintained.

# Submission Assessment

## Fotenn Planning + Design on behalf of the Township

- Test 2: *Is the general intent and purpose of the Zoning By-law maintained?*  
The subject property is predominantly zoned 'MX-1' (Extractive Industrial Exception One). A small portion located in the southeast corner is zoned 'EP' (Environmental Protection), which lies outside the licensed extraction area as identified on the approved Site Plans. The proposed location of the batching plant will comply with all applicable setback requirements outlined above. Accordingly, the requested Minor Variance maintains the intent and purpose of the Township's Zoning By-law.
- Test 3: *Is the variance minor in nature?*  
Given that licensed aggregate operations surround the subject property on all sides, that the proposed concrete batching plant will be substantially screened by existing berms, and that the use will not result in any increase in truck traffic, it is highly unlikely that the requested variance would have any adverse impact on neighbouring landowners. Therefore, it is our opinion that the proposed variance is minor in nature.
- Test 4: *Is the variances desirable for the appropriate development or use of the lands in question?*  
The proposed use is compatible with the surrounding land uses, which are similarly dedicated to aggregate operations. In our professional opinion, the requested variance is both desirable and appropriate for the development of the Subject Lands.

# Recommendations

Fotenn Planning + Design, on behalf of the Township, are of the opinion that the requested variance meets the four tests of the Planning Act and recommends the following:

THAT the Consultant Planning Report be received for information;

AND THAT prior to the Committee of Adjustment making a decision with respect to Application A5-25, they should be satisfied that the proposed variance meets Township objectives and consider any appropriate comments from the neighbours and agencies;

AND THAT should the Committee of Adjustment deem the proposal minor in nature and appropriate for the lands, as well as maintaining the general intent and purpose of the Official Plan and Zoning By-law, the following conditions should be established:

1. The proposed accessory structure, being the permanent concrete batching plant under the approval of Application A5-25 shall be located within the concrete batching plant envelope as shown on the Ministry of Natural Resources approved site plans for Licence #10606 (with the appropriate mapping refinements on the zoning mapping);
2. The owner/applicant shall complete an Environmental Compliance Approval and shall comply with any additional setbacks as may be required pursuant to that approval (and it is recognized that the setbacks under the Planning Act are the minimums);
3. The owner/applicant shall obtain a permit to take water, if required;
4. The aggregate to be used in the concrete batching plant shall be within the cumulative tonnage limits within the licensed pits, and which limits are as detailed in the 2019 Development Agreement;
5. The owner/applicant shall enter into a Supplemental Development Agreement with the Township to amend the 2019 Development Agreement, and if necessary, the May 22 Supplemental Development Agreement, all to the satisfaction of the Township.
6. The owner/applicant shall satisfy all conditions of the variance prior to installing/erecting/building the permanent concrete batching plant on the subject property.

# Next Steps

## **Appeal Procedure:**

The applicant, the Minister, a specified person or any public body may, no later than 20 days after the giving of notice of decision as required under Subsection 17 of the Planning Act is completed, appeal the decision or any condition imposed by Council.

The applicant, the Minister or a specified person or public body that has an interest in the matter may within 20 days of the making of the decision appeal to the Tribunal against the decision of the committee by filing with the secretary-treasurer of the committee a notice of appeal setting out the objection to the decision and the reasons in support of the objection accompanied by payment to the secretary-treasurer of the fee charged by the Tribunal as payable on an appeal from a committee of adjustment to the Tribunal. 2017, c. 23, Sched. 5, s. 98 (3); 2021, c. 4, Sched. 6, s. 80 (5); 2022, c. 21, Sched. 9, s. 13 (2).

## **Decision:**

It is anticipated that the decision will be made at this meeting following any comments received during the Public Hearing.

Following the decision the secretary-treasurer shall not later than ten days from the making of the decision send one copy of the decision to the prescribed persons.